

**Zoning Public Hearing  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-2  
AGENDA DATE: Thu 01/12/2006  
PAGE: 1 of 1**

**SUBJECT:** C14-05-0192 - The Mill - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9514 Anderson Mill Road (Lake Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Skateworld (David Phalan). Agent: Newman Development Group (Minka Anderson). City Staff: Sherri Sirwaitis, 974-3057.

**REQUESTING** Neighborhood Planning **DIRECTOR'S**  
**DEPARTMENT:** and Zoning **AUTHORIZATION:** \_\_\_\_\_

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**ZONING POSTING LANGUAGE  
COUNCIL AGENDA**

**COUNCIL AGENDA DATE:** January 12, 2006

**CASE # & NAME:** C14-05-0192 (The Mill)

**1<sup>ST</sup> - 2<sup>ND</sup> - 3<sup>RD</sup> READING:** All 3 readings

**ADDRESS:** 9514 Anderson Mill Road

**WATERSHED (include Barton Springs Zone if necessary):** Lake Creek

**ZONING FROM:** I-RR, interim-rural residence district, zoning

**ZONING TO (note if it is "with conditions", such as a Street Deed or public restrictive Covenant):** GR-CO, community commercial-conditional overlay district, zoning

**PC OR ZAP (choose one) AND RECOMMENDATION:**

12/06/05: Approved staff's recommendation of GR-CO zoning by consent (7-0, K. Jackson, J. Pinnelli-absent)

**PREVIOUS COUNCIL ACTIONS, DATES & VOTES: (for 2<sup>nd</sup>/3<sup>rd</sup> readings):** N/A

**APPLICANT:** Skateworld (David Phalan)

**AGENT:** Newman Development Group (Minka Anderson)

**CITY STAFF:** Sherri Sirwaitis, 974-3057

**ISSUES (is there a valid petition?):** N/A

**CONSENT/DISCUSSION:** Consent

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-05-0192

**Z.A.P. DATE:** December 6, 2005

**ADDRESS:** 9514 Anderson Mill Road

**OWNER/APPLICANT:** Skateworld (David Phalan)

**AGENT:** Newman Development Group  
(Minka Anderson)

**ZONING FROM:** I-RR

**TO:** GR

**AREA:** 1.071 acres

### **SUMMARY STAFF RECOMMENDATION:**

The staff recommends GR-CO, Community Commercial-Conditional Overlay, district zoning. The conditional overlay will limit development on the site to less than to less than 2,000 vehicle trips per day.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

12/06/05: Approved staff recommendation of GR-CO zoning by consent (7-0, K. Jackson, J. Pinnelli-absent); M. Hawthorn-1<sup>st</sup>, J. Donisi-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The property in question is developed with a roller skating rink (Indoor Sports and Recreation use). The applicant is requesting zoning for the site to bring the existing legal nonconforming use into compliance with the City of Austin Land Development Code regulations. The applicant is considering redevelopment of this site with retail uses.

The staff recommends GR-CO zoning for this property because the proposed zoning would be consistent and compatible with the surrounding land uses. The site is surrounded by commercial zoning: GR-CO zoning to the south and west, LR and LR-CO zoning to the east, and W/LO-CO zoning to the north. The property is located between on an arterial roadway between two major intersections, U.S. Highway 183 North at Anderson Mill Road and Anderson Mill Road at Pond Springs Road.

The applicant agrees with the staff recommendation.

### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-RR	Roller Skating Rink (Indoor Sports and Recreation)
<i>North</i>	W/LO-CO	Public Mini-Storage Units (Convenience Storage)
<i>South</i>	GR-CO, CS-1-CO	Retail Center, Service Station, Driveway, Detention Pond
<i>East</i>	LR, LR-CO	Daycare Facility, Office
<i>West</i>	LI-CO, GR-CO	Office/Retail, Commercial Retail Center, Bank

**AREA STUDY:** N/A

**TIA:** Waived

**WATERSHED:** Lake Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR: N/A**

**HILL COUNTRY ROADWAY: N/A**

**NEIGHBORHOOD ORGANIZATIONS:**

454 – Neighborhood Association of SW Williamson County

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-03-0180	I-SF-2 to Tract 1: GR-CO, Tract 2: CS-1-CO	1/20/04: Approved staff's recommendation of GR-CO for Tract 1; prohibiting Recycling Collection and Residential Treatment and CS-1-CO for Tract 2; prohibiting Drop-Off Recycling Collection, Residential Treatment, Agricultural Sales and Services, Art and Craft Studio (General), Building Maintenance Services, Campground, Cocktail Lounge, Commercial Blood Plasma Center, Construction Sales and Services, Convenience Storage, Electronic Prototype Assembly, Equipment Repair Services, Equipment Sales, Kennels, Laundry Services, Plant Nursery, Vehicle Storage, Veterinary Services, Custom Manufacturing, Limited Warehousing and Distribution, Maintenance and Service Facilities, Transitional Housing, and Transportation Terminal, with a 2,000 vehicle trips per day limit for the entire site; by consent (6-0, J. Cortez, J. Donisi, K. Jackson-absent)	2/26/04: Approved GR-CO for Tract 1, CS-1-CO for Tract 2 by consent (7-0, Thomas-off dias); all 3 readings
C14-03-0104	I-RR, SF-2, GR, CS to GR-CO	8/12/03: Approved staff's recommendation of GR-CO, with CO to limit the development intensity to less than 2,000 vehicle trips per day, by consent (9-0)	9/25/03: Granted ZAP rec. of GR-CO (7-0); all 3 readings
C14-02-0059	SF-3 to CS	5/6/03: Approved staff's rec. of CS-CO, with a 2,000 vehicle trips per day limit for development on the site; adding the following conditions to prohibit Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing; by consent (8-0)	7/17/03: Approved ZAP rec. of CS-CO (7-0); all 3 readings

C14-02-0020	I-RR to LR	4/9/02: Approved staff's rec. of LR-CO, with a 2,000 vehicle trips per day limit for development on the site and the dedication of 57 feet of right-of-way from the future centerline of Anderson Mill Road, w/additional conditions prohibiting Service Stations; Congregate Living; Family Homes; Group Home, Class I (General); Group Home Class I (Limited); Group Home Class II; and Residential Treatment (9-0)	8/29/02: Approved ZAP rec. of LR-CO (7-0); 1 <sup>st</sup> reading  9/26/02: Approved LR-CO (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-02-0002	I-RR to GR	2/12/02: Approved staff's rec. of GR-CO zoning (6-0, N. Spelman, V. Aldridge, J. Martinez –absent), with CO to allow only LR uses and prohibit the following other uses: Restaurants (Drive-In, Fast Food); Service Station; Congregate Living; Family Home; Group Home, Class I (General); Group Home, Class I (Limited); Group Home, Class II; Guidance Services; Residential Treatment	8/8/02: Approved GR-CO w/ conditions on 1st reading (6-0, Wynn-out of room)  8/29/02: Approved (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-01-0165	CS-CO to CS-CO	12/11/01: Approved staff rec. of CS-CO, w/ CO to limit the site to Convenience Storage as the only CS use, allow all LR uses with the exception of a Service Station, limit the site to a maximum building height of 45 feet, and limit the development intensity to less than 2,000 vehicle trips per day (7-0)	1/17/02: Approved PC rec. of CS-CO (6-0); all 3 readings
C14-01-0155	I-RR to GR	11/21/01: Approved staff rec. of GR-CO, with CO to limit the development intensity to less than 2,000 vehicle trips per day, by consent (8-0)	1/10/02: Approved GR-CO (6-0, Goodman out of room); all 3 readings
C14-00-2105	I-RR to GR	7/25/00: Approved staff rec. of GR-CO, with height limit of 35 ft. (7-1, BB-Nay)	8/24/00: Approved GR-CO (7-0), all 3 readings
C14-00-2244	I-RR to LR	2/6/01: Approved GR-CO for personal improvement use only & all LR uses w/ conditions (9-0)	7/19/01: Withdrawn by applicant.
C14-00-2200	GR-CO to CS-1	11/14/00: Approved staff rec. of CS-1 by consent (8-0)	12/14/00: Approved CS-1-CO w/ conditions: Prohibit Pawn Shops and Adult Oriented Businesses (7-0); all 3 readings

C14-00-2054	I-RR to LI-CO	11/14/00: Postponed indefinitely by applicant (re-notification required)	5/14/01: Administrative-Expired (Indefinite PP only good for 6 months)
C14-99-2139	I-RR to CS	3/7/00: Approved W/LO-CO (5-0-1, RC-abstain); CO would limit site to convenience storage as only W/LO use, limit site to 2,000 vehicle trips per day	4/6/00: Approved W/LO-CO w/ conditions as recommended by PC; on all 3 readings (6-0, Lewis out of room)
C14-99-0137	I-RR to LI	8/24/99: Approved LI-CO; agree to rollback zoning to GR if use ceases, limited to 2,000 vehicle trips per day, dedicate ROW at time of subdivision process (5-1, RC-Nay)	12/2/99: Approved LI-CO; limited to 2,000 vehicle trips per day; require RC for to "GR" if use ceases (7-0); 3 <sup>rd</sup> reading
C14-99-0036	GR-CO, I-RR to MF-2, GR-MU	6/22/99: Approved staff alternate rec. of MF-2 (TR1) and GR-MU (TR 2&3) (5-0)	7/22/99: Approved PC rec. of MF-2 (TR1) and GR-MU (TR 2&3) w/ conditions (7-0); 1 <sup>st</sup> reading  10/28/99: Approved (5-0, WL/JG-absent)
C14-98-0272	I-RR to LR	2/2/99: Approved staff recommendation of LR by consent (8-0)	3/4/99: Approved LR (7-0); 1 <sup>st</sup> reading  3/25/99: Approved LR (6-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-98-0086	SF-2 to GR	8/18/98: Approved GR-CO, with CO to limit the development intensity to less than 2,000 vehicle trips per day, by consent (7-0)	10/8/98: Approved PC rec. of GR-CO w/ conditions (6-0); all 3 readings
C14-97-0148	I-RR to GR	5/5/98: Approved staff rec. of GR-CO by consent; CO limits to LR development standards (7-0)	6/25/98: Approved PC recommendation of GR-CO with conditions; defer fiscal to site plan (6-0); 1 <sup>st</sup> reading  7/23/98: Approved GR-CO (7-0); 2 <sup>nd</sup> / 3 <sup>rd</sup> readings

**RELATED CASES:** N/A

**ABUTTING STREETS:**

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Anderson Mill Road	100'	Varies	Major Arterial	N/A

**CITY COUNCIL DATE:** January 12, 2006

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

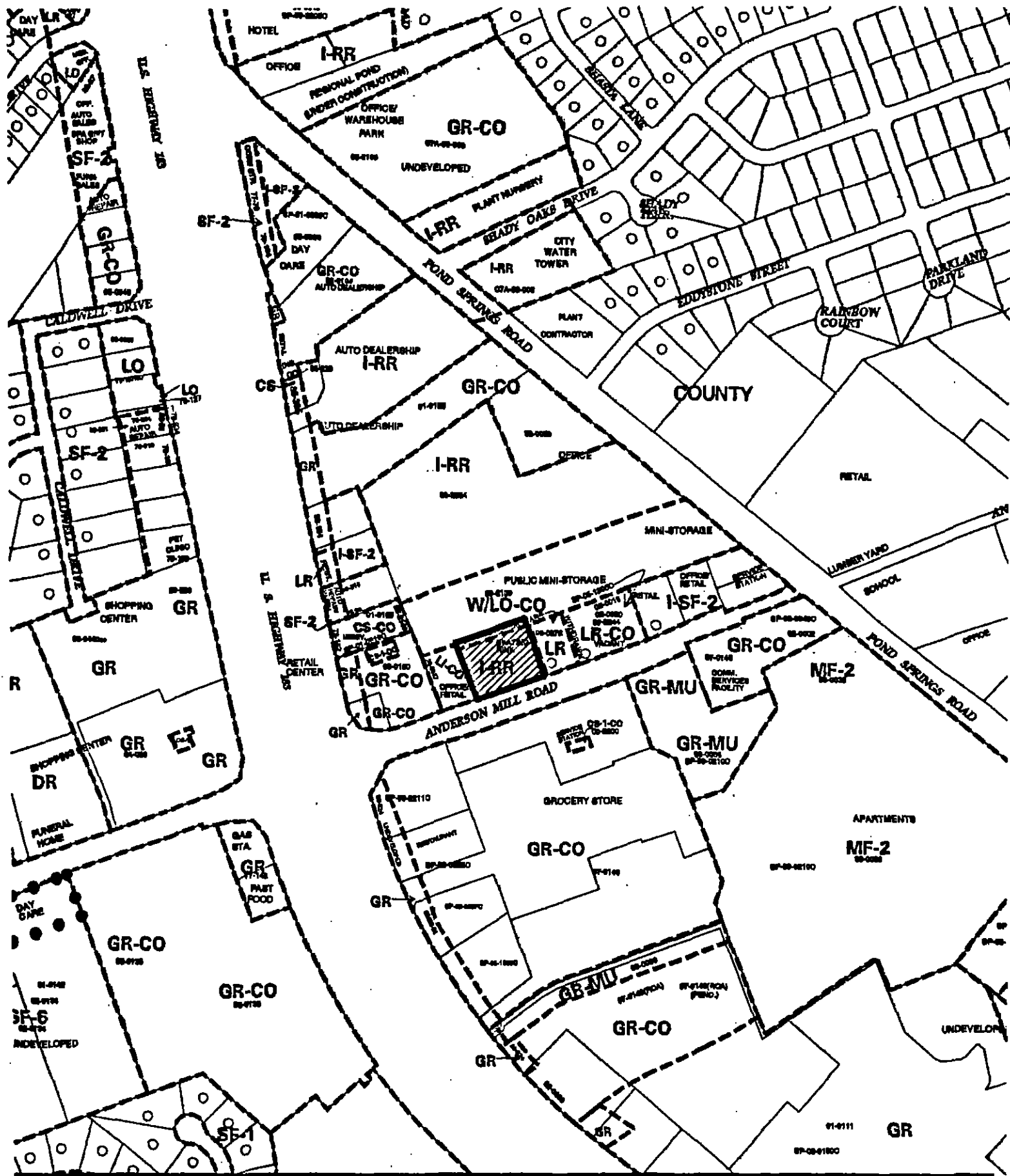
2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 974-3057,  
sherri.sirwaitis@ci.austin.tx.us



 1" = 400'	<b>SUBJECT TRACT</b> PENDING CASE ZONING BOUNDARY CASE MGR: S. SIRWAITIS		<b>ZONING</b> CASE #: C14-05-0192 ADDRESS: 9514 ANDERSON MILL RD SUBJECT AREA (acres): 1.071		DATE: 05-11 INTLS: SM		<b>CITY GRID REFERENCE NUMBER</b> G38



## **STAFF RECOMMENDATION**

The staff recommends GR-CO, Community Commercial-Conditional Overlay, district zoning. The conditional overlay will limit development on the site to less than 2,000 vehicle trips per day.

## **BASIS FOR RECOMMENDATION**

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The Community Commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.

The GR district designation would be appropriate for this site because the property in question will take access from a major arterial roadway. The site is developed with an existing commercial use, which fronts onto Anderson Mill Road.

2. *The proposed zoning should promote consistency and orderly planning.*

The site under consideration is adjacent to GR-CO zoning to the south and west. There is W/LO-CO zoning to the north and LR zoning located to the east of the site. The LI-CO zoning directly to the west of the site contains a restrictive covenant that requires the zoning to be rolled back to GR if the existing use ceases.

The property is surrounded by existing commercial uses to the north, south, east, and west.

3. *The proposed zoning should allow for a reasonable use of the property.*

The GR-CO zoning district would allow for a fair and reasonable use of the property because they would bring the current commercial use into compliance with the City of Austin Land Development Code regulations.

4. *Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

The property in question is located on the block in between two major intersections of arterial roadways (the intersection of U.S. Highway 183 North and Anderson Mill Road and the intersection of Anderson Mill Road and Pond Springs Road).

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site is currently developed with a roller skating rink.

### **Impervious Cover**

The maximum impervious cover allowed by the GR zoning district would be 90 %. However, because the Watershed impervious cover is more restrictive than the GR zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance.

The site is in the Walnut Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

Development Classification	% of Net Site Area	% with Transfers
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

### **Environmental**

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Walnut Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

### **Transportation**

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 3,957 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

**Existing Street Characteristics:**

Name	ROW	Pavement	Classification
Anderson Mill Road	100'	Varies	Arterial

There are existing sidewalks along Anderson Mill Road.

Capital Metro bus service is not available within 1/4 mile of this property.

Anderson Mill Road is not included in the Bicycle Plan.

**Right of Way**

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed subdivision, site plan, or zoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

**Water and Wastewater**

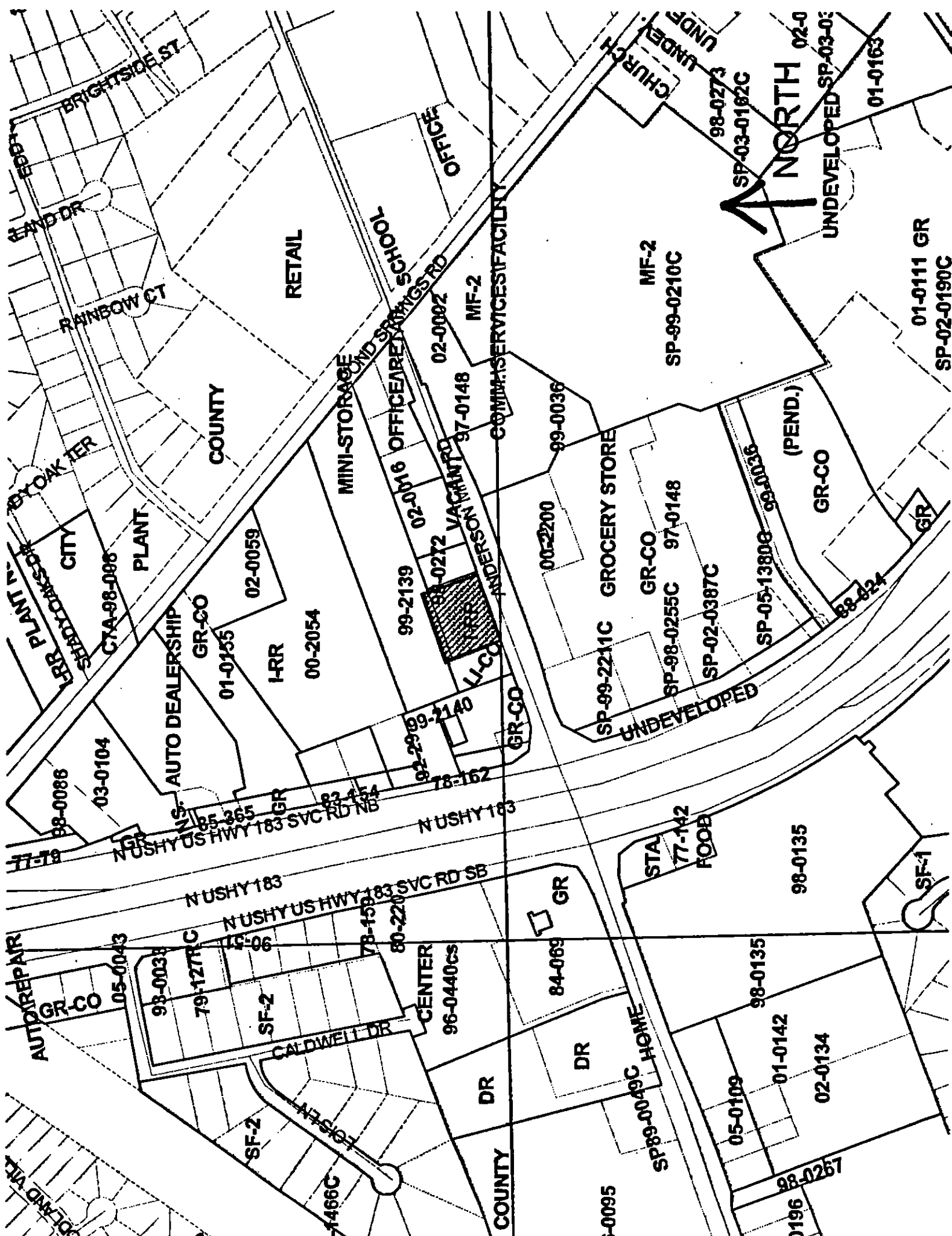
The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility relocation, and utility adjustments. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The water and wastewater utility plan must be in accordance with the City design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay the associated and applicable City fees.

**Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

**Compatibility Standards**

No comments.



01-0111 GR  
SP-02-0190C

01-0163  
UNDEVELOPED SP-03-03  
NORTH 02-0

98-0273  
SP-03-0162C

01-0111 GR  
SP-02-0190C

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